

## REMARKS

### Summary

Claims 1-3 are pending in the application and all of the claims were rejected in the present Office Action. Claim 1 has been amended. Claims 4-17 have been added. No new matter has been added as a result of this amendment. The Applicants have carefully considered the references and the reasons for rejection advanced by the Examiner, and respectfully traversed the rejections in view of discussion presented below.

### Claim Rejections

#### Claims 1 and 3 under 35U.S.C. §102(e)

Claims 1 and 3 were rejected under 35U.S.C. §102(e) as being anticipated by Sakamoto et al (US patent 6853421).

Claim 1 recites, inter alia, an interval between at least one side of each of the openings and an edge of each of the pixels is smaller than a width of one concave or convex portion. This minimizes the concave or convex portions that contribute the least to reflection and permits maximization of concave or convex portions, which contributes to a desired reflection characteristic.

While it is asserted that Sakamoto teaches that “an interval between at least one side of each of the openings and the edge of each of the pixels is smaller than the width of one concave or convex portion [figure 12(b) show at the right side of the opening of 5,6 shorter than a concave/convex portion],” Sakamoto does not teach or suggest the edge of each of the pixels, as recited in claim 1.

Sakamoto states that “as shown in FIG 12 (b), Mo is used as barrier metal to suppress electric erosion between ITO and Al of the reflection electrode, to form Mo and Al films which act as the barrier metal and reflection metal respectively. ... to suppress the ITO edge from being etched off the developer, preferably the positional relationship of the Al/Mo film is set so that they may overlap with each other around the overall periphery of the ITO” (see columns 15-16, lines 57-3). Accordingly, Sakamoto only teaches overlap of the barrier metal with the ITO. FIG. 12 (b) of Sakamoto is at best ambiguous. The only plan view of the structure (FIG. 6) does

not show the width less than a single concave or convex portion. Note further that the edge of the region is not clearly shown in the Fig. 12(b) as indicated by the cutaway line adjacent to the barrier metal / ITO structure.

Nor does Sakamoto indicate any particular reason to change the width of the barrier metal. Sakamoto only teaches it is necessary for the barrier metal to overlap the end of the ITO.

At best, Sakamoto is ambiguous regarding the precise termination point of the barrier metal. As it is well settled that an anticipation rejection cannot be predicated on an ambiguous reference (In re Turley, 304 F.2d 893, 899 134 USPQ 355, 360(CCPA 1962)), Applicants traverse the rejection.

As described above, Sakamoto neither discloses nor suggests that the edge of each of the pixels, as recited in claim 1. Therefore, not all of the elements of claim 1 are taught by Sakamoto. Thus, a *prima facie* case of anticipation has not been made out. For at least these reasons, claim 1 is patentable.

In addition, claim 3 is dependent on claim 1 and is patentable for the same reasons that claim 1 is described as patentable above.

### **Claim 2 under 35U.S.C. §103**

Claim 2 were rejected under 35U.S.C. §103(a) which forms the basis for all obviousness rejection set forth in this Office Action.

However, claim 2 is dependent on claim 1 and is patentable for the same reasons that claim 1 is described as patentable above.

### **New Claims 4-15**

Applicants have added new claims 4-15.

Claim 4 recites each pixel is divided by light-shielding walls. Claims 5-13 recite preferable locations of the openings in the pixel. Claim 14 recites a liquid crystal display which comprises a transfective film with same characteristic. Claim 15 recites each pixel is divided by light-shielding walls. And Claim 16 recites a color filter is formed above both the opening and the transfective film in the each pixel.

The Applicants respectfully submit that Sakamoto cited by the Examiner does not teach or suggest the arrangements of the new claims 4-17.

### **Conclusion**

In view of the amendments and arguments above, Applicants respectfully submit that pending claims 1-3 and new claims 4-17 are in condition for allowance and seek an early allowance thereof. If for any reason the Examiner is unable to allow the application in the next Office Action and believes that a telephone interview would be helpful to resolve any remaining issues, he is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AP Curtis', is written over a horizontal line.

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